



**MEMO ENDORSED**

**MICHAEL A. CARDOZO**  
*Corporation Counsel*

**THE CITY OF NEW YORK  
LAW DEPARTMENT**

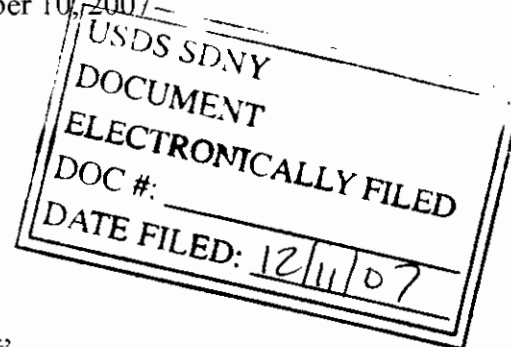
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December 10, 2007 -

**BY HAND DELIVERY**

The Honorable Richard J. Sullivan  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007



Re: Andres Luna v. City of New York, et al.,  
07 CV 7096 (RJS)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and the attorney assigned to the defense of the above referenced matter. Without appearing on their behalf or making any representations as to the adequacy of service or otherwise, this office respectfully requests an enlargement of time until January 10, 2008 to respond to plaintiff's complaint on behalf of defendants Sam Carrasquillo and Gregory Carty. This is defendants Carrasquillo and Carty's first request for an enlargement of time to respond to plaintiff's complaint. This office attempted to contact plaintiff's counsel, Rudy Velez, Esq., for his consent, but has been unable to reach him.

By letter dated August 29, 2007, defendant City of New York requested an enlargement of time, until October 29, 2007, to respond to plaintiff's complaint. Your Honor subsequently granted that request. Accordingly, the City of New York served and filed its answer on October 29, 2007. This office has since learned that defendants Carrasquillo and Carty may have recently been served with process in this action. As such, an enlargement of time will allow for this office to determine, pursuant to Section 50-K of the New York General Municipal Law, and based on a review of the facts of the case, whether we may represent these individually named defendants. See Mercurio v. City of New York, et al., 758 F.2d 862, 864-865 (2d Cir. 1985)(quoting Williams v. City of New York, et al., 64 N.Y.2d 800, 486 N.Y.S.2d 918 (1985))(decision whether to represent individual defendant is made by the Corporation Counsel as set forth in state law).

Accordingly, without appearing on their behalf or making any representations as to the adequacy of service or otherwise, this office respectfully requests an enlargement of time until

January 10, 2008 to answer or otherwise respond to plaintiff's complaint on behalf of defendants Sam Carrasquillo and Gregory Carty. Thank you for your consideration of this request.

Respectfully submitted,



Jessica T. Cohen (JC 0044)  
Assistant Corporation Counsel

cc: Rudy Velez, Esq.  
Attorney for Plaintiff  
930 Grand Concourse, Suite 1A  
Bronx, New York 10451 (by regular mail)

SO ORDERED

Dated:

  
12/11/07

RICHARD J. SULLIVAN  
U.S.D.J.